

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In Re:)	
RICHARD BROWN MITCHELL, JR.)	Case No. 10-38146-DOT
)	Chapter 13
Debtor.)	

**MOTION TO EXTEND TIME TO OBJECT TO DEBTOR'S EXEMPTIONS
AND TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

COME NOW John and Tiffany McAvoy (the "McAvoy's"), by counsel, and hereby request this Court enter an Order extending the deadline by which they must: a) object to the exemptions claimed by Richard Brown Mitchell, Jr. (the "Debtor") and b) object to confirmation of the Debtor's Chapter 13 Plan (the "Plan") through and including March 16, 2011. In support of their Motion, the McAvoy's state as follows:

1. On November 29, 2010, the Debtor filed a petition for relief under Chapter 13 of the Bankruptcy Code in this Court.
2. The McAvoy's are listed as secured creditors in Debtor's petition, having a judgment lien in the amount of \$178,514.00 plus accrued interest from February 25, 2010 (the "Lien") on the Debtor's real property, and having levied on some of the Debtor's personal property.
3. Counsel for the McAvoy's has discussed a potential resolution of the Lien with counsel for the Debtor and hopes to submit an agreement for the Court's approval by March 16, 2011, but to this point no agreement has been finalized.

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4. In the event that no agreement is reached, the McAvoy's wish to preserve their right to object to the Debtor's exemptions and to the confirmation of the Plan.

5. The deadline to object to exemptions is currently February 12, 2011, and the deadline to object to confirmation of the Plan is February 16, 2011.

6. Counsel for the Debtor has indicated his lack of opposition to an extension of the deadlines by executing a proposed Order, attached hereto as Exhibit A.

WHEREFORE, for the reasons set forth herein, John and Tiffany McAvoy request this Court enter an Order extending the deadline by which they must object to the Debtor's claimed exemptions and object to confirmation of the Plan through and including March 16, 2011.

Respectfully submitted,
JOHN AND TIFFANY MCAVOY

DATE: February 11, 2011

By: /s/ W. Scott Dillard II

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Certificate

I hereby certify that a true and correct copy of the foregoing was mailed, postage pre-paid or electronically delivered via ECF to the parties in interest listed below on this 11th day of February, 2011.

/s/ W. Scott Dillard II

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